

REMARKS

This application pertains to novel gas-impermeable film laminates.

Claims 1-25 are pending.

Claims, 1, 20, 24 and 25 stand rejected under 35 USC 112, second paragraph, for various reasons indicated more specifically in the Office Action. Each of the issues raised by this rejection has been carefully considered, and appropriate amendments made to overcome them.

It is believed that the rejection is overcome by the amendments, and the rejection should now be withdrawn.

Claims 1-9, 11, 12, 14, 18-20, 22 and 24 stand rejected under 35 USC 102(b) as anticipated by Sawada et al (US 5,112,673).

Sawada discloses a moisture proof film comprising a core layer of polyvinyl alcohol, a protective layer and a sealing layer. The core layer and the protective layer are coated with silicon oxide.

Applicants' layers a) and c) are vapor coated with aluminum.

Sawada neither teaches nor suggest anything about vapor coating with aluminum.

Therefore, Applicants' claims are neither anticipated nor suggested by Sawada, and the rejection of claims 1-9, 11, 12, 14, 8-20, 22 and 24 under 35 USC 102(b) as anticipated by Sawada should now be withdrawn.

Claims 1-14 and 18-25 stand rejected under 35 USC 103(a) as obvious over Sawada in view of Lofgren (US 5,122,410) and Matsuda (US 5,725,958).

Sawada's films may have a certain degree of moisture proofness. Applicants' films, however, in addition to having an outstandingly low water vapor permeability also have an outstandingly low oxygen permeability. Therefor, they can be used as packaging material for vacuum insulation panels guaranteeing a vacuum needed for over 10 to 15 years.

The teaching of US 5,112,673 is silent about the combination of both gas impermeabilities, because these outstanding properties are achieved according to the present invention by sandwiching the gas barrier layer, preferably of polyvinyl alcohol, between 2 aluminum coated layers directly or indirectly as an indispensable feature of the invention film.

In Sawada only in Fig. 4 and Fig. 9 is the polyvinyl alcohol layer sandwiched between two SiOx coated layers by chance. This neither teaches nor suggests the present invention. Moreover, by using aluminum as vapor-coated material the coating can be produced more easily and thus less costly than a coating based on silicon oxide. One of the important differences in the production of that coating is that less energy is necessary for a vapor-coating with aluminum.

US 5,122,410 (Lofgren) does not render the aluminum coating according to the inventive step obvious, because in the Lofgren again, only a coating with silicon oxide or silicon nitride is disclosed.

The same is true for Matsuda 5,725,958, wherein oxides of silicon and various other metals are disclosed as film coating on a resin film, however, no vapor coating with aluminum itself is disclosed.

Accordingly, no combination of Sawada, Lofgren and Matsuda could possibly render Applicants' novel film obvious, the rejection of claims 1-14 and 18-25 under 35 USC 103(a) as obvious over said combination of references should now be withdrawn.

Applicants note with appreciation that claims 15-17 are objected to only and would be allowable if presented in independent form. However, for the reasons given above, Applicants believe that all the claims are now in condition for allowance.

In view of the present amendments and remarks it is believed that claims 1-25 are now in condition for allowance. Reconsideration of said claims by the Examiner is respectfully requested and the allowance thereof is courteously solicited.

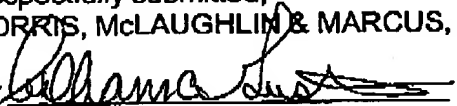
CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Applicants request that this be considered a petition therefor. Please charge the required petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

Respectfully submitted,  
NORRIS, McLAUGHLIN & MARCUS, P.A.

By   
William C. Gerstenzang  
Reg. No. 27,552

220 East 42nd Street - 30th Floor  
New York, New York 10017  
(212) 808-0700

I hereby certify that this correspondence is being transmitted via facsimile addressed to Mail Stop Non-Fee Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-150 on June 13, 2003

  
Julie Harting

Date: June 13, 2003

FAX RECEIVED  
JUN 16 2003  
GROUP 1700